

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5

IN THE MATTER OF:)	
)	
Rogers Group, Incorporated)	NOTICE OF VIOLATION
Bloomington, Indiana)	
)	EPA-5-00-IN-05
)	
Proceedings Pursuant to)	
Section 113(a)(1) of the)	
Clean Air Act, 42 U.S.C.)	
§ 7413(a)(1))	

NOTICE OF VIOLATION

The Administrator of the United States Environmental Protection Agency (U.S. EPA) is issuing this Notice of Violation under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). U.S. EPA finds that Rogers Group, Incorporated (Rogers Group) is violating the Indiana State Implementation Plan (SIP), as follows:

Statutory and Regulatory Background

1. On June 17, 1987, U.S. EPA approved 325 IAC 5-1 as part of the federally enforceable SIP for Indiana. 52 Fed. Reg. 23032. The recodification of this rule, with minor revision, was approved on June 15, 1995 and effective July 15, 1995. 60 Fed. Reg. 31412.
2. 325 IAC 5-1(a)(1)(A) prohibits the discharge, from any affected source or facility located in attainment areas for particulate matter, of visible emissions in excess of an average of 40 percent opacity in 24 consecutive 15-second visible emission readings.

Specific Findings of Violation

3. Rogers Group owns and operates a Specialty Products Plant at 1100 North Oard Road, Bloomington, Indiana.
4. Rogers Group operates the following equipment at the Specialty Products Plant: Aggregate Drier with Baghouse, Belt 1 and Belt 2.
5. The Aggregate Drier with Baghouse, Belt 1 and Belt 2 were in operation on or about April 7, 1999.

6. Emissions from Rogers Group's Aggregate Drier Baghouse Stack, Belt 1 to Belt 2 Transfer Point, and Tail of the Belt 1 Transfer Point are subject to the opacity regulations in the Indiana SIP at 325 IAC 5-1(a)(1)(A).
7. U.S. EPA collected opacity data on April 7, 1999, using Method 9 readings. The following results show the six-minute averages that exceeded the 40% opacity limit:

Tail of Belt 1 Transfer Point

<u>Set Number</u>	<u>Opacity (%)</u>	<u>Opacity Limit (%)</u>
1	58.6	40
2	59.0	
3	49.4	
4	64.2	
5	64.4	

Belt 1 to Belt 2 Transfer Point

<u>Set Number</u>	<u>Opacity (%)</u>	<u>Opacity Limit (%)</u>
1	49.8	40
2	45.6	


Drier Baghouse Stack

<u>Set Number</u>	<u>Opacity (%)</u>	<u>Opacity Limit (%)</u>
1	47.3	40

Finding of Violation

The Administrator of U.S. EPA, by authority duly delegated to the undersigned, notifies the State of Indiana and Rogers Group, Incorporated, Bloomington, Indiana, that Rogers Group, Incorporated is in violation of the Indiana State Implementation Plan as set forth in this Notice of Violation.

12/16/99
Date


Margaret M. Guerriero,
Acting Director
Air and Radiation Division

CERTIFICATE OF MAILING

I, Betty Williams, do hereby certify that a Notice of Violation, No EPA-5-00-IN-06 and Finding of Violation, No. EPA-5-00-IN-05 was sent by Certified Mail, Return Receipt Requested, to:

Mike Carnett, Engineering Manager
Rogers Group, Incorporated
P.O. Box 849
Bloomington, Indiana 47402-0849

I also certify that copies of the Notice of Violation and Finding of Violation were sent by first class mail to:

David P. McIver, Chief
Air Section
Office of Enforcement
Indiana Department of Environmental Management
100 North Senate, Room 1001
Indianapolis, Indiana 46206-6015

on the 17th day of December 1999.

Betty Williams
Betty Williams, Secretary
AECAS (IL/IN)

P 140895493
CERTIFIED MAIL RECEIPT NUMBER